

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Commerce Committee  
 2 Representative Griffitts offered the following:

**Amendment (with title amendment)**

Remove lines 475-802 and insert:

6 (a) A local government or tax collector may charge a fee  
 7 of no more than \$150 per unit for processing a registration  
 8 application. A local law, ordinance, or regulation may require  
 9 annual renewal of a registration and may charge a renewal fee of  
 10 no more than \$50 per unit for processing of a registration  
 11 renewal. However, if there is a change of ownership, the new  
 12 owner may be required to submit a new application for  
 13 registration. Subsequent to the registration of a vacation  
 14 rental, a local government may charge a fee, not to exceed \$150,  
 15 for a person authorized by s. 633.118 to inspect the vacation

Amendment No. 1

16 rental and enforce the laws and rules of the State Fire Marshall  
17 for issues pertaining to the uniform firesafety standards.

18 (b) As a condition of registration or renewal of a  
19 vacation rental, a local law, ordinance, or regulation  
20 establishing a local vacation rental registration program may  
21 require the operator of a vacation rental to do only the  
22 following:

23 1. Submit identifying information about the owner and the  
24 owner's operator, if applicable, and the subject vacation rental  
25 premises.

26 2. Provide proof of a license with the unique identifier  
27 issued by the division to operate as a vacation rental.

28 3. Obtain all required tax registrations, receipts, or  
29 certificates issued by the Department of Revenue, a county, or a  
30 municipality.

31 4. Update required information on a continuing basis to  
32 ensure it is current.

33 5. Designate and maintain at all times a responsible party  
34 who is capable of responding to complaints or emergencies  
35 related to the vacation rental, including being available by  
36 telephone at a provided contact telephone number 24 hours a day,  
37 7 days a week, and receiving legal notice of violations on  
38 behalf of the operator. The responsible party has until 9 a.m.  
39 the next calendar day to respond to a complaint or emergency by  
40 telephone or otherwise.

Amendment No. 1

41 6. State the maximum occupancy of the vacation rental  
42 based on the number of sleeping accommodations for persons  
43 staying overnight in the vacation rental.

44 7. Pay in full all recorded municipal or county code liens  
45 against the subject vacation rental premises.

46 (c) Within 15 business days after receiving an application  
47 for registration of a vacation rental, a local government must  
48 review the application for completeness and accept the  
49 registration of the vacation rental or issue a written notice of  
50 denial.

51 1. The vacation rental operator and the local government  
52 may agree to a reasonable request to extend the timeframes  
53 provided in this paragraph, particularly in the event of a force  
54 majeure or other extraordinary circumstance.

55 2. If a local government fails to accept or deny the  
56 registration within the timeframes provided in this paragraph,  
57 the application is deemed accepted.

58 (d) If a local government denies a registration of a  
59 vacation rental, the local government must give written notice  
60 to the applicant. Such notice may be provided by United States  
61 mail or electronically. The notice must specify with  
62 particularity the factual reasons for the denial and include a  
63 citation to the applicable portions of the ordinance, rule,  
64 statute, or other legal authority for the denial of the  
65 registration. A local government may not prohibit an applicant

Amendment No. 1

66 from reapplying if the applicant cures the identified  
67 deficiencies.

68 (e)1. Upon an accepted vacation rental registration, a  
69 local government shall immediately assign a unique registration  
70 number to the vacation rental unit and provide the registration  
71 number or other indicia of registration to the vacation rental  
72 operator in writing or electronically.

73 2. The vacation rental operator must provide the vacation  
74 rental registration number to the division.

75 (f) A local government may fine a vacation rental operator  
76 up to \$300 if he or she:

77 1. Fails to continue to meet the registration requirements  
78 in paragraph (b); or

79 2. Is operating a vacation rental without registering with  
80 the local government as a vacation rental.

81 (g) A certified copy of an order imposing a fine may be  
82 recorded in the public records and thereafter constitutes a lien  
83 against the real property on which the violation exists. Upon  
84 petition to the circuit court, such order is enforceable in the  
85 same manner as a court judgment by the sheriffs of this state,  
86 including execution and levy against the personal property of  
87 the violator, but such order may not be deemed to be a court  
88 judgment except for enforcement purposes. A fine imposed  
89 pursuant to this subsection shall continue to accrue until the  
90 violator comes into compliance or until judgment is rendered in

Amendment No. 1

91 a suit filed pursuant to this section, whichever occurs first. A  
92 lien arising from a fine imposed pursuant to this subsection  
93 runs in favor of the local government, and the local government  
94 may execute a satisfaction or release of lien. Three months or  
95 more after the filing of any such lien that remains unpaid, the  
96 local government may foreclose on the lien against the real  
97 property on which the violation exists or sue to recover a money  
98 judgment for the amount of the lien, plus accrued interest. A  
99 lien created pursuant to this part may not be foreclosed on real  
100 property that is a homestead under s. 4, Art. X of the State  
101 Constitution. The money judgment provisions of this section do  
102 not apply to real property or personal property that is covered  
103 under s. 4(a), Art. X of the State Constitution.

104 (h)1. If a vacation rental owner is found by the code  
105 enforcement board or special magistrate to have materially  
106 violated a local law, ordinance, or regulation that does not  
107 solely apply to vacation rentals and the violation is directly  
108 related to the owner's vacation rental premises, the local  
109 government must issue a written notice of such violation.

110 2. If the owner is found to have materially violated a  
111 local law, ordinance, or regulation as described in subparagraph  
112 1., the code enforcement board or special magistrate must make a  
113 recommendation to the local government as to whether an owner's  
114 vacation rental registration should be suspended.

115 3. The code enforcement board or special magistrate must

Amendment No. 1

- 116 recommend the suspension of the owner's vacation rental  
117 registration if the owner is found to have:
- 118 a. One or more material violations on 5 separate days  
119 during a 60-day period;
  - 120 b. One or more material violations on 5 separate days  
121 during a 30-day period; or
  - 122 c. One or more material violations after two prior  
123 suspensions of an owner's vacation rental registration during a  
124 6-month period.
- 125 4. If the code enforcement board or special magistrate  
126 recommends suspension of an owner's vacation rental  
127 registration, a local government may suspend such registration  
128 for a period of:
- 129 a. Up to 15 days for one or more material violations on 5  
130 separate days during a 60-day period;
  - 131 b. Up to 30 days for one or more material violations on 5  
132 separate days during a 30-day period; or
  - 133 c. Up to 60 days for one or more material violations after  
134 two prior suspensions of an owner's vacation rental registration  
135 during a 6-month period.
- 136 5. A local government may not suspend an owner's vacation  
137 rental registration for violations of a local law, ordinance, or  
138 regulation which are not directly related to the vacation rental  
139 premises.
- 140 6. A local government must provide notice of the

Amendment No. 1

141 suspension of a vacation rental registration to the operator and  
142 the division within 5 days after the suspension. The notice must  
143 include the start date of the suspension, which must be at least  
144 21 days after the suspension notice is sent to the operator and  
145 the division. Effective January 1, 2026, a local government must  
146 use the vacation rental information system described in s.  
147 509.244 to provide notice of the suspension of a vacation rental  
148 registration to the division.

149 (i)1. A local government may revoke or refuse to renew a  
150 vacation rental registration of a specific vacation rental if:

151 a. The code enforcement board or special magistrate has  
152 found that the vacation rental owner has habitually committed  
153 material violations pursuant to paragraph (h) and has imposed  
154 the strictest penalty thereunder;

155 b. There is an unsatisfied recorded municipal lien or  
156 county lien on the real property of the vacation rental;  
157 however, the local government must allow the vacation rental  
158 owner at least 60 days before the termination of a registration  
159 to satisfy the recorded municipal lien or county lien and must  
160 immediately and automatically reinstate or renew the  
161 registration upon satisfaction of such lien; or

162 c. The vacation rental premises and its owner are the  
163 subject of a final order or judgment by a court of competent  
164 jurisdiction lawfully directing the termination of the premises'  
165 use as a vacation rental.

590399 - h1537-lines 475-802.docx

Published On: 2/21/2024 6:47:24 PM

Amendment No. 1

166       2. A local government must provide notice of the  
167 termination of or refusal to renew a vacation rental  
168 registration to the operator and the division within 5 days  
169 after the termination or refusal to renew. The notice must  
170 include the date of termination or nonrenewal, which must be at  
171 least 21 days after the notice is sent to the operator and the  
172 division.

173       (j) A vacation rental owner may appeal a denial,  
174 suspension, or termination of a vacation rental registration, or  
175 a refusal to renew such registration, to the circuit court. An  
176 appeal must be filed within 30 days after the issuance of the  
177 denial, suspension, or termination of, or refusal to renew, the  
178 vacation rental registration. The court may assess and award  
179 reasonable attorney fees and costs and damages to a vacation  
180 rental owner.

181       (k) A vacation rental owner may apply for registration  
182 upon the sale of the vacation rental premises to a new owner or  
183 6 months after revocation of or refusal to renew the vacation  
184 rental registration pursuant to paragraph (i).

185  
186       This subsection does not prohibit a local government from  
187 establishing a local law, ordinance, or regulation if it is  
188 uniformly applied without regard to whether the residential  
189 property is used as a vacation rental.

190       Section 4. Effective January 1, 2025, present paragraph



Amendment No. 1

191 (c) of subsection (4) of section 509.241, Florida Statutes, is  
192 redesignated as paragraph (d), a new paragraph (c) is added to  
193 that subsection, subsection (5) is added to that section, and  
194 subsections (2) and (3) of that section are amended, to read:

195 509.241 Licenses required; exceptions; division online  
196 accounts and transactions.—

197 (2) APPLICATION FOR LICENSE.—Each person who plans to open  
198 a public lodging establishment or a public food service  
199 establishment shall apply for and receive a license from the  
200 division before ~~prior to~~ the commencement of operation. A  
201 condominium association, as defined in s. 718.103, which does  
202 not own any units classified as vacation rentals or timeshare  
203 projects under s. 509.242(1)(c) or (g) is not required to apply  
204 for or receive a public lodging establishment license. Upon  
205 receiving an application for a vacation rental license, the  
206 division shall grant a temporary license that authorizes the  
207 vacation rental to begin operation while the application is  
208 pending. The temporary license becomes permanent upon final  
209 agency action regarding the license application that grants the  
210 vacation rental license.

211 (3) DISPLAY OF LICENSE.—~~A~~ Any license issued by the  
212 division must ~~shall~~ be conspicuously displayed to the public  
213 inside in ~~the office or lobby of the~~ licensed establishment.  
214 Public food service establishments that ~~which~~ offer catering  
215 services must ~~shall~~ display their license number on all

590399 - h1537-lines 475-802.docx

Published On: 2/21/2024 6:47:24 PM

Amendment No. 1

216 advertising for catering services. The operator of a vacation  
217 rental offered for transient occupancy through an advertising  
218 platform must also conspicuously display the vacation rental's  
219 local registration number, if applicable, inside the unit in a  
220 visible location.

221 (4) ONLINE ACCOUNT AND TRANSACTIONS.—Each person who plans  
222 to open a public lodging establishment or a public food service  
223 establishment and each licensee or licensed agent must create  
224 and maintain a division online account and provide an e-mail  
225 address to the division to function as the primary contact for  
226 all communication from the division.

227 (c) Each licensee or licensed agent managing a license  
228 classified as a vacation rental as defined in s. 509.242(1)(c)  
229 must submit to the division, through the division's online  
230 system, any applicable local vacation rental registration  
231 number.

232 (5) UNIQUE IDENTIFIER.—The division shall include a unique  
233 identifier expressed as a series of letters or numbers at the  
234 end of the vacation rental license number on each vacation  
235 rental license it issues which identifies each individual  
236 vacation rental dwelling or unit.

237 Section 5. Effective January 1, 2025, section 509.243,  
238 Florida Statutes, is created to read:

239 509.243 Advertising platforms.—

240 (1) An advertising platform shall require that a person

Amendment No. 1

241 who places an advertisement or listing for a vacation rental  
242 which offers it for rent do all of the following:

243 (a) Include in the advertisement or listing the vacation  
244 rental license number with the associated unique identifier.

245 (b) Attest to the best of the person's knowledge that the  
246 vacation rental's license and, if applicable, its local  
247 registration are current and valid and that all related  
248 information is accurately stated in the advertisement.

249 (2) An advertising platform shall display the vacation  
250 rental license number with the associated unique identifier.

251 (3) Effective January 1, 2026, an advertising platform  
252 shall:

253 (a) Remove the ability to book an advertisement or a  
254 listing from its online application, software, website, or  
255 system within 15 business days after notification through the  
256 vacation rental information system as established in s. 509.244  
257 that a vacation rental license:

- 258 1. Has been suspended, revoked, or not renewed; or  
259 2. Fails to display a valid vacation rental license number  
260 with the associated unique identifier.

261  
262 The notification shall identify the nature of the deficiency.

263 (b) Provide to the division on a quarterly basis, in a  
264 manner compatible with the vacation rental information system as  
265 established in s. 509.244, a list of all vacation rentals in the

Amendment No. 1

266 state which are advertised on its platform, including the  
267 uniform resource locator for the Internet address of the  
268 vacation rental advertisement and the vacation rental license  
269 number associated with the vacation rental.

270 (4) If a guest uses a payment system on or through an  
271 advertising platform to pay for the rental of a vacation rental  
272 located in this state, the advertising platform or the  
273 designated operator listing a property with an advertising  
274 platform must collect and remit all taxes due under ss.  
275 125.0104, 125.0108, 205.044, 212.03, 212.0305, and 212.055  
276 related to the rental as provided in s. 212.03(2)(b).

277 (5) If the division has probable cause to believe that a  
278 person not licensed by the division has violated this chapter or  
279 any rule adopted pursuant thereto, the division may issue and  
280 deliver to such person a notice to cease and desist from the  
281 violation. The issuance of a notice to cease and desist does not  
282 constitute agency action for which a hearing under s. 120.569 or  
283 s. 120.57 may be sought. For the purpose of enforcing a cease  
284 and desist notice, the division may file a proceeding in the  
285 name of the state seeking the issuance of an injunction or a  
286 writ of mandamus against any person who violates any provision  
287 of the notice. If the division is required to seek enforcement  
288 of the notice for a penalty pursuant to s. 120.69, it is  
289 entitled to collect attorney fees and costs, together with any  
290 cost of collection.

590399 - h1537-lines 475-802.docx

Published On: 2/21/2024 6:47:24 PM

Amendment No. 1

291 (6) The division may fine an advertising platform an  
292 amount not to exceed \$1,000 per offense for each violation of  
293 this section or of division rule. For the purposes of this  
294 subsection, the division may regard as a separate offense each  
295 day or portion of a day in which an advertising platform is  
296 operated in violation of this section or rules of the division.  
297 The division shall issue to the advertising platform a written  
298 notice of any violation and provide it 15 days to cure the  
299 violation before commencing any legal proceeding under  
300 subsection (5).

301 (7) An advertising platform shall adopt an  
302 antidiscrimination policy to help prevent discrimination by its  
303 users and shall inform all users that it is illegal to refuse  
304 accommodation to an individual based on race, creed, color, sex,  
305 pregnancy, physical disability, or national origin, as provided  
306 in s. 509.092.

307 (8) This section does not create a private cause of action  
308 against advertising platforms. An advertising platform may not  
309 be held liable for any action that it takes voluntarily and in  
310 good faith in relation to its users in compliance with this  
311 chapter or the advertising platform's terms of service.

312 Section 6. Section 509.244, Florida Statutes, is created  
313 to read:

314 509.244 Vacation rental information system.—

315 (1) As used in this section, the term "application program

Amendment No. 1

316 interface" means a predefined protocol for reading or writing  
317 data across a network using a file system or a database.

318 (2) By July 1, 2025, the division shall create and  
319 maintain a vacation rental information system readily accessible  
320 through an application program interface. At a minimum, the  
321 system must do all of the following:

322 (a) Facilitate prompt compliance with this chapter by a  
323 licensee or an advertising platform.

324 (b) Provide a system interface to allow local governments  
325 to verify the status of a vacation rental, if applicable.

326 (c) Allow a registered user to subscribe to receive  
327 automated notifications of changes to the license and  
328 registration status of a vacation rental, including any license  
329 revocation, local registration termination, period of suspension  
330 imposed by the division or local government, or failure to renew  
331 a license or local registration.

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**T I T L E   A M E N D M E N T**

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Remove lines 21-103 and insert:

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authorizing local governments and tax collectors to

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charge a specified fee for processing registration

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applications; authorizing local laws, ordinances, or

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regulations to require annual renewal of a

## Amendment No. 1

341 registration and to charge a fee for such renewal;  
342 providing that a change in ownership may require a new  
343 application for registration; authorizing local  
344 governments to charge a specified fee to inspect a  
345 vacation rental and enforce certain laws and rules for  
346 issues pertaining to uniform life safety requirements;  
347 specifying requirements and procedures for, and  
348 limitations on, local vacation rental registration  
349 programs; authorizing local governments to fine  
350 vacation rental operators under certain circumstances;  
351 specifying procedures related to the imposition of  
352 fines; providing applicability relating to certain  
353 money judgment provisions; requiring local governments  
354 to issue written notices of material violations under  
355 certain circumstances; requiring the code enforcement  
356 board or special magistrate to make certain  
357 recommendations under specified circumstances;  
358 authorizing local governments to suspend an owner's  
359 vacation rental registration for specified periods of  
360 time; prohibiting local governments from suspending an  
361 owner's vacation rental registration for violations  
362 not directly related to the vacation rental premises;  
363 requiring, within a specified timeframe, local  
364 governments to provide notice of registration  
365 suspension to vacation rental operators and the

## Amendment No. 1

366 Division of Hotels and Restaurants of the Department  
367 of Business and Professional Regulation; providing  
368 requirements for such notice; requiring, by a certain  
369 date, local governments to use the vacation rental  
370 information system to provide such notice to the  
371 division; authorizing local governments to revoke or  
372 refuse to renew a vacation rental registration of a  
373 specific vacation rental under certain circumstances;  
374 requiring, within a specified timeframe, local  
375 governments to provide notice of termination of or  
376 refusal to renew a vacation rental registration to  
377 vacation rental operators and the division; requiring,  
378 by a certain date, local governments to use the  
379 vacation rental information system to provide such  
380 notice to the division; providing that vacation rental  
381 owners may appeal a denial, suspension, or termination  
382 of, or a refusal to renew, a vacation rental  
383 registration; providing procedures for such appeal;  
384 authorizing a vacation rental owner to apply for  
385 registration upon the sale of the vacation rental  
386 premises or 6 months after revocation of or refusal to  
387 renew the vacation rental registration; providing  
388 construction; amending s. 509.241, F.S.; requiring the  
389 division to issue temporary licenses upon receipt of  
390 vacation rental license applications while such

590399 - h1537-lines 475-802.docx

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## Amendment No. 1

391 applications are pending; providing for expiration of  
392 such licenses; requiring that any license issued by  
393 the division be conspicuously displayed to the public  
394 inside the licensed establishment; requiring that  
395 operators of vacation rentals which offer a vacation  
396 rental for transient occupancy through an advertising  
397 platform also display to the public inside the  
398 vacation rental its local registration number, if  
399 applicable; requiring licensees or licensed agents  
400 managing a license classified as a vacation rental to  
401 submit local vacation rental registration numbers, if  
402 applicable, to the division through the division's  
403 online system; requiring the division to include a  
404 unique identifier on each vacation rental license  
405 issued which identifies each individual vacation  
406 rental dwelling or unit; creating s. 509.243, F.S.;  
407 requiring advertising platforms to require that  
408 persons placing advertisements or listings for  
409 vacation rentals include certain information in the  
410 advertisements or listings and attest to certain  
411 information; requiring advertising platforms to  
412 display certain information; requiring, as of a  
413 specified date, advertising platforms to remove the  
414 ability to book an advertisement or a listing under  
415 certain circumstances and to provide to the division

590399 - h1537-lines 475-802.docx

Published On: 2/21/2024 6:47:24 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1537 (2024)

Amendment No. 1

416 | on a quarterly basis, in a specified manner, a list of  
417 | all vacation rentals in the state which are advertised  
418 | on its platforms, along with other specified  
419 | information; requiring advertising platforms or  
420 | designated operators of such platforms to